

September 11, 2019

CONFIDENTIAL – SUBJECT TO REQUEST UNDER SECTION 0.459 OF THE RULES OF THE FEDERAL COMMUNICATIONS COMMISSION

BY HAND DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C. 20554

Re: Petition of Consolidated Communications of Pennsylvania Company, Inc. (“CCPC”) and Consolidated Communications of Maine Company, Inc. (“CCMC”) Petition for Waiver of Section 61.41(c)(2) of the Commission’s Rules, and Such Other Relief as May Be Necessary, To Preserve Bifurcated Regulation Following the Merger of Marianna and Scenery Hill Telephone Company and Bentleyville Communications Corporation With and Into CCPC and the Merger of Community Service Telephone Company With and Into CCMC;
Request for Confidential Treatment

Dear Ms. Dortch:

Consolidated Communications of Pennsylvania Company, Inc. (“CCPC”) and Consolidated Communications of Maine Company, Inc. (“CCMC”), and their parent, Consolidated Communications, Inc. (“CCI”), through undersigned counsel, hereby jointly request that the enclosed non-public materials marked “**CONFIDENTIAL – SUBJECT TO REQUEST UNDER SECTION 0.459 OF THE RULES OF THE FEDERAL COMMUNICATIONS COMMISSION**” (the “Confidential Materials”) be withheld from public inspection pursuant to Section 0.459 of the Federal Communications Commission’s rules.¹

CCPC and CCMC, both wholly-owned subsidiaries of CCI, are the petitioners in the enclosed Confidential Materials. CCPC and CCMC prepared the Confidential Materials seeking a waiver of certain portions of the Commission’s rules to serve the public interest and avoid unnecessary hardship and expense. The Confidential Materials are being provided today to the Wireline Competition Bureau’s Pricing Policy Division. A redacted version for public

¹ 47 C.F.R. § 0.459.

CONFIDENTIAL – SUBJECT TO REQUEST UNDER SECTION 0.459 OF THE RULES OF THE FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch, Secretary

September 11, 2019

Page 2 of 3

inspection is enclosed herewith and also is being filed through the Commission's Electronic Comment Filing System.

Under Section 0.457 of the FCC's rules, trade secrets, non-public financial information, and other proprietary or confidential information filed with the Commission will not routinely be made available for public inspection.² The Commission may limit access to proprietary or confidential information it receives on the basis that such information is competitively sensitive, proprietary to a customer, or otherwise protected under the Commission's rules or relevant statutes. Such information includes trade secrets and other confidential commercial information, as well as information that is protected from disclosure by federal statute.³ To the extent that the Confidential Materials do not fall within the category of materials automatically withheld from public inspection, CCI hereby requests that the Commission grant confidential treatment and withhold them from public inspection pursuant to Section 0.459 of the Commission's rules. The public interest will be served by the grant of this request.⁴

The enclosed Confidential Materials contain information that is non-public, confidential and sensitive to CCI and its subsidiaries, CCPC and CCMC. CCI is a publicly-traded company. The non-public information set forth in the Confidential Materials concerns the impact on the company of the rules for which waiver is sought, including the possible financial impact on the company in the absence of the requested waiver. The FCC has acknowledged that such non-public internal information can be commercially sensitive, and protecting its confidentiality can be important to the Commission's public interest goals.

CCI specifically seeks confidential treatment by the FCC with respect to all such materials that are and will be identified as Confidential Materials when submitted by CCI, CCPC or CCMC in connection with the attached petition for waiver. CCI believes that the Confidential Materials deserve this protection. CCI consistently attempts to prevent the disclosure of similar non-public information, for example, through non-disclosure agreements. The Confidential Materials have not been provided to the public, and if an authorized third party is to receive these materials it would be under a non-disclosure agreement. CCI will be able to respond to questions raised by the Commission more fully if confidential treatment is afforded these Confidential Materials.

CCI respectfully asks that the Confidential Materials not be made available for public inspection or otherwise used or disclosed in any unauthorized manner until such time that the materials become public through lawful means, following notice to CCI, or upon the express written consent of CCI.

² 47 U.S.C. § 0.457(d).

³ *See id.*

⁴ *See* 47 U.S.C. § 0.459(a)(1).

**CONFIDENTIAL – SUBJECT TO REQUEST UNDER SECTION 0.459 OF THE RULES
OF THE FEDERAL COMMUNICATIONS COMMISSION**

Marlene H. Dortch, Secretary
September 11, 2019
Page 3 of 3

Because the enclosed Confidential Materials are filed on a voluntary basis, CCI respectfully requests that the Commission return the Confidential Materials in the event that confidential treatment is not afforded under Section 0.457 or 0.459 of the Commission's rules.⁵

Please direct any questions concerning this filing to me.

Very truly yours,



Karen Brinkmann
Counsel for CCI

Enclosures

cc: FCC Wireline Competition Bureau – Gil Strobel, Chief, Pricing Policy Division
Victoria Goldberg, Deputy Chief, Pricing Policy Division

⁵ 47 U.S.C. §0.459(e).